

Testimony of Jay Royal Lewis

OPPOSITION TO HB 6477 (RAISED) AN ACT CONCERNING THE UNAUTHORIZED PRACTICE OF LAW BY NOTARIES PUBLIC AND THE OUTSOURCING OF THE DRAFTING, REVIEW OR ANALYSIS OF LEGAL DOCUMENTS.

I would like to sincerely thank Senator Coleman, Representative Fox and the entire judiciary committee for taking up this important issue. I am submitting this written testimony as a formally educated Paralegal and as a citizen with years of legal experience in both private and public settings.

I would first like to draw the committees attention to the written testimony of Regina G. Dowling, Esq., Co-chair of the Connecticut Bar Association Paralegals Committee; as I will be expounding on the merits of her opposition to the bill.

I have read the bill and there are laudable legislative goals cited in the title, however the inherent danger lay within the relative ambiguity of language found in the text of the bill. Ms. Dowling testified that the language of Section 2(a) will have the effect of eliminating the paralegal profession by deeming that the drafting, review or analysis of legal documents by non-attorneys constitutes an unauthorized practice of law. If it is the intent of this bill to root out the out-of-state or out-of-the-country "outsourcing" of legal work by state agencies or quasi-public agencies, then the language should be more closely examined.

The first things that stands out to me is that the word "outsourcing" does not appear in the actual body of the bill; only in the title and then the statement of purpose. Section 2(b) states "THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY TO ANY EMPLOYEE IN THE STATE OF A STOCK OR NONSTOCK CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER BUSINESS ENTITY". This leaves me with the impression that this legislation is proposing the aforementioned restrictions only on state employees. However, legal work performed by state agencies are largely handled by "in-house" legal departments or contracted to private firms. The term "outsourcing" seems like a moot term as even if a state agency were to allow state paralegals or legal assistants to review, draft or analyze legal documents; it would appear to be theoretically impossible to outsource your legal work to your in-house legal staff. Therefore, I submit to the committee that this bill lacks a clear purpose or a clarity of purpose and should be re-drafted or have more substantive language added.

Lastly, were the OFA to be given the opportunity to scrutinize the effect of the bill, I am fairly positive that the outcome would be a negative on the state budget. This is assuming that the theoretical problem I addressed in the previous paragraph is somehow overcome and we take to the task of firing all of the state employed paralegals and legal assistants and subsequently hire bar-admitted attorneys to replace

all of them. Not only is this bill ambiguous, it would appear to run counter to the public demand for more cost effective ways to operate our state government while maintaining vital services.

Therefore, I would respectfully request that the committee not favorably report this bill.

I would be happy to answer any questions. Thank you for your time and effort.

Jay Royal Lewis
Paralegal